

MSC 97 REPORT TO DATE 25 NOV 16

1. There were WGs on:
 - a. Carriage of Industrial Personnel – David Appleton(Nautilus)
 - b. Goal Based Standards - Nothing Significant for IFSMA
 - c. Maritime Security and issues related to LRIT – Captain Anand Shingatgeri(CMMI)
2. AI 2. Decisions of other IMO Bodies. All items identified from the papers below will be taken during all relevant Agenda Items.
 - a. Paper 97/2 – Outcome of Council 116.
 - b. Paper 97/2/1 – Outcome of LEG.
 - c. Paper 97/2/2 – Outcome of TEC 66.
 - d. Paper 97/2/3 – Outcome of MEPC 70.
3. AI 3. Consideration and adoption of Mandatory Instruments
 - a. **97/WP5 – (Sec)** comments required only on major comments to the proposed amends and not editorial comments. Following AI 9, Annexes 12, 13 and 14 were looked at again for early implementation of MSC Circulars.
 - b. Annex 12 - amends to the 1974 SOLAs Regulations ii-2/1 and ii-2/10 on exemption from the requirement to have an approved foam-type extinguisher of at least 135 l capacity was deferred until MSC 98.
 - c. Annex 13 - amends to SOLAS Regulation ii-1/12.6.1 on the acceptance of the use of Butterfly Valves on Cargo Ships. It was discussed whether to issue a "Proce Verballe" in accordance with Article 79 of the Vienna Convention. This process was not fully understood as there was no knowledge of this process being used before at IMO, therefore this was delayed until MSC 98 when this would be clarified.
 - d. Annex 14 - early implementation and acceptance of the amendment to paragraph 3.2.5 of the IGC Code. Send to the Drafting Group to re-word so that it can be sent out to Administrations.
 - e. Annexes 1, 2, 4, 5, 6, 8, 9, 10, 11, to be sent to the Drafting Group for checking and incorporation.
 - f. Annex 3 and 97/3/8 (IACS) - draft amendments to paragraph 3.2.5 of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code) – proceed as 3.d. above. WP.9 as Drafted – agreed.
 - g. Annex 7 –draft amendments to part B of the International Code on Intact Stability, 2008 (2008 IS Code) for ships engaged in lifting operations 97/3//6, 97/3/10, 97/3INF10(Germany) – Proposed amendments to Annex 7. to be sent to the Drafting Group for checking and incorporation with the exception of 97/3/10 which was not agreed.

- h. 97/3/9 (Japan) –to be sent to HTW for consideration
- i. 97/3/5(US) Damage Control Drill for Passenger Ships – NSR for IFSMA. WG to take into account

97/3/7(China/Japan et. Al). This paper proposes a reduction of the R factor agreed at MSC 96 for small passenger vessels. There is a weak argument about necessary design changes causing increased lightship and therefore increased GHG emissions but it comes down to cost in the end. USA and others, primarily EU Nations, were completely opposed but there were many other smaller nations all in support. IFSMA was trying to intervene on the grounds of significant and unnecessary reduction of Safety of the Mariner and passengers, but the Chair decided to stop the debate and proposed the adoption of this proposal was put into abeyance and to be brought to MSC 98 if still considered necessary. **This will cause significant debate if brought back to the Committee at MSC 98 and will require IFSMA's intervention in opposition to the proposal.**

- j. 97/3/4 (Bahamas)- Textual amends to SOLAS REGULATIONS II-1/22, II-1/23 AND II-1/24 – Forward to the Drafting Group for consideration.
- k. **The Drafting Group produced their Report in 97/WP.6(Actions) and WP.6Add1(Noted).** 11 Actions requested by the Committee are at Para 24 of WP.6. Actions 1-9 were adopted with some minor amend to Annex 7 and Points 11&12 were approved. The Committee noted Points 12 – 15.

4. AI 4 – Measures to enhance Maritime Security – NS for IFSMA

- a. 97/4 (Republic of Iran) - Comments and recommendations related to the non-mandatory Interim Guidelines on Maritime Cyber Risk Management. NSR.
- b. 97/4/1(Sec) - Consider the development of a data transfer mechanism for the Maritime Security module of GISIS. Directed the Secretariat to develop and implement the mechanism and to submit to the Committee for approval.
- c. 97/4/2(Georgia and Ukraine) - Safety and security of navigation in the North-Eastern part of the Black Sea. This was previously raised at MSC 96 and the Committee agreed that this subject was a matter for the UN Security Council and not IMO. Highlighted a considerable number of Marine Collisions and other incidents leading to pollution of the Environment caused by increased risks to Navigation in the area as Ukraine is unable to access its own waters and provide suitable State Control in the area.
- d. 97/4/3(Russia) - Comments on document MSC 97/4/2. A long rebuttal from Russia saying that they have enhanced Navigational Safety with lots of new equipment and now they have managed to reopen many of the previously closed ports. The accidents listed were just normal maritime events.

- e. The Chair opened the floor for comments. UK spoke about the illegal annexation of Crimea and Sevastopol and the grave implications this had for the area and offered its firm support for Ukraine and the condemned continued Russian Military occupation and support for the Crimea. However, reiterated its previous view at MSC 96 that the IMO was not the right forum for this issue. This view was firmly supported by the US and reiterated its concerns for Safety of Navigation in the area. That Georgia has now had to state its concerns in support of Ukraine highlights the deterioration of the Navigational Safety in the area. Condemned Russia in many areas and called on Russia to abide by the ceasefire arrangement and its International obligations under International Law and UNSC Resolutions. Agreed IMO was not the right platform for this issue to be resolved. Not one Nation spoke in support of Russia. The Chair summed up by stating that this was not the forum for Political Issues as it was a Technical Agency of the UN. The suggestion of the UK had obtained unanimous support and that Nations should inform the IMO of any issues that come to their attention of the Risks to Maritime Safety in this area so that the IMO can distribute them and inform all Nations.
5. AI 5 – Goal Based New Ship Construction Standards.
 - a. 97/5 – GBS Outcomes of MSC 96. NSR for IFSMA
 - b. 97/5/1(Sec), 97/5/2, 97/5/4(IACS), 97/55, 97/5/6(China), 97/5/3(Argentina), 97/5/7(Japan) were all introduced before opening to the Committee for comment. No comments received from the floor. These Papers were forwarded for the WG to consider. NSR for IFSMA
 - c. Terms of Reference for the WG were agreed.
 - d. **WP97/WP.8 is the Report of the WG. The Committee were asked to note approve the Action Point 4 at Para 38, endorse points 2,3 &7 and note points 1, 5, and 6. This was agreed**
 6. AI 6 – Safety and Standards for carriage of more than 12 Industrial personnel onboard on International Voyages.
 - a. 97/6 Legal Advice – NSR
 - b. 97/6/6 – Vanuatu – seeking to change the requirement to not restrict this to 12 personnel. NSR
 - c. 97/ 6/7 – India – Concerns about the definition of Passengers and whether they should be considered as Crew, Passengers or another Category.
 - d. Having heard the Papers, the Chair sought answers to 2 questions:
 - i. Is there a need to have an interim solution prior to amendment to SOLAS? US and a few Delegations pointed out that in interim solution would not be mandatory and therefore not good use of the Committees time and make efforts to carry out the work in the Road Map to provide a permanent solution. Many other Delegations were in favour of an Interim Solution. The Chair summed up that as the

majority feeling was that an Interim solution should be considered by the WG taking into account a Permanent one.

- ii. What Option should be taken in Paper 97/6 Legal? There was significant majority favouring Option 1. WG to take this forward noting the Canada's and others recommended amendments.
- iii. **97/WP.7 Report of the WG. The Interim recommendations were agreed. See Para 23 at the end of this report for David Appleton's Report on his participation in the WG.**

- e. 97/6/3 – ITF - MSC 96 identified the Scope of this work for a new Mandatory Code and currently this has been significantly expanded.
- f. 96/6/4 - China – NSR
- g. 97/6/5 – IMCA – NSR
- h. Verbal from ILO – Secretariat – ILO wishes to draw the attention to definition of seafarer and that any doubt as to category of the person then they should be referred to as Seafarers by Administrations.
- i. The ITF Paper was fully supported by the Committee to be used by the WG.
- j. The Chair summed up that there was general support for the ITF Paper and was a good starting point for the WG to take forward. Any interim solution needs to take account of the long term solution and the comments made by the Committee. The ILO Paper should also be put forward to the WG.
- k. 97/6/2 – UK - Road Map for the Carriage of Industrial Personnel. Chair summed up by thanking the UK and the Intervention by Germany suggesting interventions to improve the speedy progress of this issue. WG should look at the Road Map, but 2024 might be a better timescale for completion.

7. AI 7 – NCSR Report

- a. 97/7 – Agreed to establish an Expert Group on Ships' Routing at future NCSR Sessions – **Sec Gen IFSMA will try to find someone suitable to attend this Expert Group.**
- b. 97/7/1(Sec) Modernization Plan of the Global Maritime Distress and Safety System (GMDSS) – NSR
- c. 97/7/2(Malta and 97/7/6(IMS0) -Report on the audit process of the International LRIT Data Exchange – NSR
- d. 97/7/3 (France etal) – Navigation Warning on Operations that endanger Safety of Navigation.

- e. 97/7/5 (N Korea) – rebuttal of above. It was felt that because of the significant safety issue and mindful of the political implications, the following Intervention was made:

"Thank you Mr Chairman, any un-notified firings and deliberate disruption of GPS, wherever they take place in the world in Territorial or International Waters, is of great concern to IFSMA as it poses a very real and significant danger to all seafarers and shipping and clearly affects their ability to navigate safely around the world. I would wish this Intervention to be included in the report. Thank you."

The Chair summed up that an MSC Circular would be issued on the subject.

- f. 97/7/4(UK) - Recognition of the Inmarsat Fleet Broadband system for use in the GMDSS. NCSR to look at this Paper and report its findings to MSC.
8. AI 8 – 97/8(Secretariat)Ships Systems and Equipment – NS for IFSMA, but :
- a. Points 1, 3, 4, 5, 7, 8, 10, 11 - Draft MSC Circulars approved
 - b. Point 2 –and 97/8/3(Japan) - Approved draft amendments to SOLAS regulation II-2/9.4.1.3.
 - c. Point 6 – 97/8/7 (Antigua and Barbuda) – Approved that an MSC circular can be used as an interim measure pending entering into force the amendment to SOLAS regulation II-2/3.56. Secretariat, assisted by IACS, prepare an MSC Circular for approval at MSC 98.
 - d. Point 9 – Approved that the full report of SSE 4 be submitted to MSC 98 for consideration, instead of submitting only urgent matters emanating from SSE 4.
 - e. Point 10 - approved draft amendments to the 1994 and 2000 HSC Codes.
 - f. Point 12 – 97/21/3 (Norway), 97/21/12(ICS) – Endorsed that additional performance and test standards for the equipment and systems on board ships operating in polar waters should be developed.
 - g. Point 13 - Approved draft amendments to paragraphs 6.1.1.5 and 6.1.1.6 of the LSA Code and paragraph 8.1.1 of part 1 of the annex to resolution MSC.81(70).
 - h. 97/8/5(Panama) – III 4 Sub Committee to take this Paper and look at the points raised.
 - i. 97/8/1(IACS) – Approved to issue an MSC circular on hazardous area classification for selection of electrical equipment, cables and wiring and positioning of openings and air intakes, as required by SOLAS regulation II-1/45.11.

9. AI 9 – 97/9 (Sec) – Report on Implementation of IMO Instruments -III 3 – There was a very long discussion on the early implementation or application of IMO Circulars. It became clear that the IMO Regulations provide a conflict for the legal implications between Flag State and Port State. It was agreed that in view of this discussion then it was important to go back over all of the early implementation of MSC Circulars already approved in AI 3 to see which should be adopted and which should be deferred until MSC 98. This complex issue will be resolved at MSC 98 and become an Agenda Item so that corrections can be made to long standing faults in Codes etc.
10. AI 10 – 97/10(Sec) - Urgent matters emanating from Carriage of Cargoes and Containers(CCC3) Sub Committee.
 - a. Points 1, 2, 4 - Secretariat prepare an MSC Circular to notify the approval of the amendments to the various Codes.
 - b. Points 3 see Para 8 C above as they are liked.
 - c. Points 5, 6 - Secretariat prepare a Corrigendum
 - d. Points 7&8 – Draft MSC Circulars approved.
 - e. Point 9 - approve the holding of two intersessional meetings of the E&T Group in 2017 to prepare the next set of amendments to the IMDG Code
11. AI 11 – 97.WP3, 97/11, 97/11.add1 (Sec) Implementation of STCW Convention – and List of Competent Persons. Secretariat produce an MSC Circular to publicise. In addition the Chair reminded the Committee that the STCW Convention comes into force in Jan 2017 and that Administrations need to make sure they are ready, but that Port State Control needs to be aware that there may be some certification issues and to exercise pragmatism in the early stages of inspections. A Drafting Group under US Chair to put together an MSC Circular on this issue to provide a 6-month window of tolerance by Flag States and Administrations.
 - a. 97/J/5 –Draft MCS Circular on Implementation of the STCW Convention produced by the Drafting Group. This was approved as long as "In some States" should be inserted in Para 3 line 2 after "period, ".
12. AI 12 – 97/12 (Sec) - Capacity Building for the implementation for new measures - NSR
13. AI 13 – 97/13(Sec) Formal Safety Assessment - This has now been included into IMO Docs - NSR
 - a. 97/13/1 and 97/13/2 (China) – NSR
14. AI 14 - 97/4 (Sec) - Developments related to piracy and armed robbery against ships since MSC 96.
 - a. There were 145 incidents worldwide this year. In the comparable period of 2015, there were 223 incidents. This indicates a downward year-on-year trend, with a reduction of about 35% at the global level. However, this trend does not apply in all regions. In West Africa, the numbers show an increase from 24 incidents reported in the comparable period of 2015 to 47 incidents this year, representing an increase of 96%.

- b. The Maritime Trade Information Sharing Centre – Gulf of Guinea concluded its successful trial in June 2009. The MSC expressed its appreciation to OCIMF for conducting the trial, to the Government of Ghana and the Regional Maritime University in Accra for hosting it and to the States and industry bodies that supported it.
 - c. Chair summed up by stating that MTISCGoG was an interim GoG and wondered whether Nation in the area of the GoG should get together and put forward a paper on this to MSC 98. They should also work with the UK and France who run the ICC to promote safe navigation of shipping in the area.
15. AI 15 – Unsafe mixed migration by Sea – No Papers – NSR
16. AI 16 – Implementation of Instruments and related
- a. 97/16(Sec) - Clarification on a number of important issues that have arisen since the implementation of the new format for the Certificate of Fitness under the IBC, BCH, GC, IGC and EGC Codes – MSC Circular to be drafted.
 - b. 97/16/1(IACS) – Clarification on calibration of portable atmosphere testing instruments as referred to in SOLAS regulation XI-1/7 (resolution MSC.380(94)), which entered into force on 1 July 2016. A J Paper to be prepared for this Committee to clarify. Circular as drafted in WP.11 agreed.
 - c. 97/16/2 (IACS) - Clarification on the application of the initial survey, maintenance surveys and certification required by paragraph 1.3 of chapter 1 of part I-A of the International Code for Ships Operating in Polar Waters (Polar Code) (resolution MSC.385(94)), which will take effect on 1 January 2017. Secretariat to prepare a Draft MSC Circular. WP.12 with Draft MSC Circular – agreed.
 - d. 97/16/3 (Sec) - Records for regulatory development onto the new GISIS module on "Development of amendments" and requests for clarification regarding practical application of MSC.1/Circ.1500. It requested the committee agree a number of action points. However it was agreed that the Paper should go to MSC 98 and be discussed along with other MSC Circulars.
17. AI 17 – 97/17 (Sec) - Relationship with other Organisations. - NSR
18. AI 18 - 97/18 & 97/18/Corr.1 (Sec) - Proposals for a new timeline relating to deadlines for submission and consequential posting of documents onto IMODOCS. 97/18/1 Chairs MSC/MEPC - Application of the Committees Guidelines. Draft revised Rules of Procedure of the Committees. – NSR
19. AI 19 – Work Programme
- a. 97/19/4 and INF3 - ILG Simulated Launching of freefall Lifeboats – Combined Paper by ILG Group of which IFSMA Members. Without discussion it was agreed that this would be sent to SSE 4 for inclusion its Agenda for action.

- b. 97/19/3 (EU Numerous Nations) - Fire safety of ro-ro passenger ships. Proposes a new output to reduce the number of fires on RoRo Decks. 14 areas of improvement have been highlighted. EMSA has started preliminary work.
- c. 97/19/13 (Japan) – Comments on above – supported proposal and highlighted a fire accident on the ro-ro passenger ship Sunflower Daisetsu which occurred in July 2015, around 50 km off the coast of Hokkaido, in Japan, with 94 persons on board and 1 person died.
 - i. It was agreed that this should be included as an Agenda Item for MSC and go forward to SSE 4 to discuss and agree the scope and report to MSC.
- d. 97/19/5(Palau and co-sponsors) - new output to amend the Recognised Organisation Code in order to remove inconsistencies, omissions or ambiguous wording. IACS stated that the Code serve as the International Standard and minimum criteria for oversight. The Committee agreed that there needs to be more compelling need to take this forward and the co-sponsors take the comments and issue a revised submission. Certification of Vessel proceeding to Demolition has been identified as a specific problem that they might highlight.
- a. 97/19/6(China) - Proposal for a new output to develop recommendation on performance standards for shipborne combined GPS/GLONASS/BDS receiver Equipment. Committee failed to see the need for this as amongst other issues is as this is clearly covered by MSC 401/95 on multi system receivers. Chair asked NCSR to the issues raised under their current work programme and advise the Committee accordingly.
- b. 97/19/8 (Bahamas and Japan) - New requirements for ventilation of Totally Enclosed Lifeboats. Committee decided that this should go forward to SSE 4 as an output and should include all Survival Craft, but Totally Enclosed Lifeboats should be given priority, with a target completion date of 2018.
- c. 97/19/9(Ukraine) - Proposal for a new output on revising resolutions A.817(19) and MSC.232(82) to provide for an additional connection of ECDIS with communication equipment for VHF DSC. AUS who is conducting a study on ECDIS stated that the NCSR work would be concluded before this could go to NCSR for inclusion. The Committee decided this was a good point and should be taken forward as part of eNavigation and would not go forward as a new output. Invited Ukraine to take forward as part of the SSE4 Harmonised Display work in eNav.
- d. 97/19/10(China) - Proposal for a new output to review and amend the Model Agreement for the authorization of Recognized Organizations acting on behalf of the Administration. The MO has been in place for 10 years and there are many issues that need updating and should be sent to MEPC as a

new output item. This was supported by the Committee and agreed that it should go to MEPC as a new output.

- e. 97/19/11(India) - Proposal for the development of an International Regulatory framework for "Floating Armouries", as a new output for MSC in 2 sessions. There are at least 14 Floating Armouries inside and outside the territorial waters of India and therefore there is an urgent requirement to look at the legality of these vessels and would pose a serious threat if they came into the hands of Piracy or involved in a Maritime Incident. UK supports high standards in this area but do not recommend Mandatory guidance. As these are vessels operated by Flag states they are regulated by them in International Waters and as such would agree to Non-mandatory Guidelines. However, this does need further consideration and recommend delegations provide further input for the next MSC to be discussed under MSC output 6.2.1.2, Piracy and Armed Robbery against Ships. This was agreed and discussion would take place at MSC 98.
- f. 97/19/12 (Liberia, Singapore etc) - New output to amend COLREGs for a Night signal for vessels crossing TSS – after many Nations spoke for and against this the Chairman summed up that he suggested that this Paper and FSA Study be sent back to the FSA Expert Group to assess it against all TSS. **IFSMA then intervened with:**

Thank you Mr Chairman. IFSMA thanks the distinguished delegations of Singapore and co-sponsors for their Paper 97/19/12 and the FSA Study INF.6. In Paragraph 8-10 of the Paper it fails to make a compelling case for this to be taken as a new output. It states that in the Singapore Straits over 5 years including 2014 there were 6 collisions of which 3 were in the TSS, in the complex environment of English Channel there were 10 collisions over 14 years but only 3 occurred in the TSS and in San Francisco Bay there were 33 collisions in 10 years with 4 in the TSS but NO crossing events were noted. The FSA Study also uses 5 scenarios in a simulator and the difference in the results with or without the 3 Green Lights is marginal. However, in the Dover Straits multi ship environment without background coastal lights, the normal Navigation lights proved to be better. It states that detection times by lookouts for their 3 green lights gave on average a 25% improvement in good visibility, but this ranged from 0-3 secs for 4 of the scenarios and 10 seconds for 1, which at the detection ranges expected is insignificant. Sir the Paper and the FSA Study fail to make a compelling case for this to take up the valuable time of the NCSR Sub-Committee. This is very local issue for Singapore where vessels cross the TSS with the specific reason to enter Singapore. Thank you Mr Chairman.

Several Nations then came out against the Paper and it was agreed that this should not go forward. Sense prevailed!

- g. 97/19 – Work Programme. Biennial status reports of the CCC, HTW, III, NCSR, SDC and SSE Sub-Committees and provisional agendas for their forthcoming sessions. The Provisional Agendas were agreed.
 - h. Papers 97/19/7 and 97/19/14 were withdrawn.
 - i. 97/19/1 (Chairs of MSC and MEPC) - Activities, priorities and plan of meeting-weeks of the Committees and their subsidiary bodies. Contains the MSC and MEPC Chairs' proposals on activities, priorities and meetings of the two Committees and their subsidiary bodies for the 2018-2019 biennium. This was agreed.
 - j. 97/19/2
20. AI 20 - Election of Chair and Vice Chair for 2017. Mr Brad Grose(Australia) was nominated to remain as Chair by Denmark. Seconded and supported by the entire Committee. Japan proposed Mr Juan Carlos Cubisino(Argentina) as the Vice Chair. Seconded by Russia and supported by all.
21. AI 21 – Any other Business
- a. 4 documents that need noting only and these are 97/21/9 and INF 4, 8 and 12.
 - b. 97/21 - Amendment to SOLAS form E, part 3, item 3.1 and forms C and P, part 5, item 3.1 to include Multi-System Shipborne Radio Navigation Receivers. The Co-Sponsors believe that is a simple amendment that could easily be agreed by the Committee as it is an adjustment to the Forms. The Committee approved this proposal.
 - c. 97/21/3 (Norway etal) - Additional performance and/or test standards in support of the implementation of the Polar Code. It was agreed to send this to NCSR to instruct the Sub-Committee to consider current communication requirements in SOLAS and the need for any amendments taking into account the extended duration requirements in the Polar Code; and to instruct the NCSR Sub-Committee to consider the need for a new performance standard for GNSS compasses. There is an existing Agenda Item for this.
 - d. 97/21 Rev1 take as read and 97/21/10(Friends of the Earth etal) - Non-SOLAS vessel operations in polar waters in preparation for work on phase 2 of the Polar Code. Concerned about the threat to human life and to the environment, the co-sponsors are of the opinion that there should be no further delay to work on phase 2 of the Polar Code commencing and offer this information to the Committee. Published information indicates that over 600 fishing vessels operate in the polar regions and the number of yachts sighted in the Antarctic has increased in recent years. Out of 1,347 unique vessels operating in Arctic waters in 2012, 570 were fishing vessels. While in Antarctic waters, 41 fishing vessels were licensed for the current fishing season (December 2015 – November 2016) and, during 2015-2016 summer

season, 41 yachts were sighted in or reported an intention to sail to the Antarctic region. It was agreed to note this information and that it would be taken into account when work starts on Phase 2.

- e. 97/21/11(Japan) -Amendments to MSC.1/Circ.1460 on Guidance on the validity of radio communications equipment installed and used on ships. Taking into account the information provided above, Japan is of the view that paragraphs 6 and 7 in MSC.1/Circ.1460 should be deleted or this circular should be revoked. Norway was against deleting Paras 6 and 7 or revoking the Circular and proposed that only the date in Para 6 should be amended to 1 Jan 2024. This was agreed.
- f. 97/21/6(UK) - Safe rotational deployment of marine evacuation systems. Nations to contact UK Delegation with information. NSR
- g. 97/21/5(IACS) - Draft updates to MSC.1/Circ.1426 – NSR
- h. 97/21/4(China) - asbestos on board ships (MSC.1/Circ.1374) and the Unified interpretation of SOLAS regulation II-1/3-5 (MSC.1/Circ.1379) so as to harmonize the implementation of SOLAS Convention and the Hong Kong Convention. Proposed instruct the Secretariat to amend the two circulars regarding asbestos prohibition in the SOLAS Convention (refer to annexes 1 to 2 for detail). This was opposed by the US, EU and others and therefore was not supported.
- i. 97/21/2(Sec) - Consolidated draft MSC circular on Unified interpretations of SOLAS chapters II-1 and XII, of the Technical provisions for means of access for inspections (resolution MSC.158(78)) and of the Performance standards for water level detectors on bulk carriers and single hold cargo ships other than bulk carriers (resolution MSC.188(79)). UK would prefer Option 4 and send this to the STC Sub-Committee which was agreed.

22. Consideration of the report of the Committee

23. David Appleton's Brief on the Working Group on Industrial Personnel

24. Monday

- 25. The working group opened with a discussion regarding the terms of reference.
- 26. The submitters of papers gave a presentation to explain their proposals in more depth.
- 27. There was a prolonged discussion about which document is to be used as the base document. It was raised that the ITF proposal was in contradiction to the decision made at MSC 96 i.e. to Keep the definition broad. There was eventually an agreement that ITF document would be used as base document as the plenary had given a clear mandate to use the document as a basis for discussions.
- 28. There followed an in depth discussion into the definition of industrial personnel. It was agreed that the qualifications required would be removed from the definition and dealt with later within the recommendation.

29. Tuesday

30. An exercise was undertaken to merge the ITF proposal with the definition produced by MSC 96. Thankfully, the eventual definition produced by the group does not differ in principle from that produced by the ITF i.e. that industrial personnel are only to be transported or accommodated onboard and not carry out any work onboard.
31. There was a discussion as to whether industrial personnel should be classed as passengers. It was decided that as plenary had decided on "option 1", that industrial personnel could not be considered passengers. An intervention was made stating that it should be made clear that industrial personnel are not to be considered passengers only for the purposes of the recommendation.
32. During the discussion on qualifications required it was agreed that the basis for not treating industrial personnel as passengers is because of the lower risk profile when compared to normal passengers. It was decided that industrial personnel must have STCW basic safety training or equivalent, meet STCW medical standards required for an engineer or industry equivalent, have familiarisation with the vessel they are transported and, be provided with all necessary PPE and safety equipment.

33. Wednesday

34. There was a discussion around the minimum age proposed for industrial personnel. A number of delegations supported 18 but eventually the majority supported 16. An intervention was made in support of 16 on the basis that industry will have its own age requirements and any individual not meeting those would not be on the vessel anyway. Stating 18 within the recommendation could cause confusion as to the employability of young persons and apprentices as has been the case with the MLC 2006.
35. Following a discussion on the introductory text of the recommendation the group moved on to the road map. The proposed entry into force of the mandatory requirement is 2024.

36. Thursday

37. Finalisation of the report of the working group.